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**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH
CENTRAL DIVISION**

IN RE:
PAUL DAVID COOK JR.

Debtor

CASE NO: 09-34019

Chapter 13 FILED ELECTRONICALLY

JUDGE JUDITH A. BOULDEN

TRUSTEE'S MOTION TO DISMISS

KEVIN R. ANDERSON, Standing Chapter 13 Trustee in this case, recommends that the above referenced case be dismissed for the Debtors' failure to comply with the following statutory requirements, Federal Rule of Bankruptcy Procedure, and/or Local Rules:

1. The Debtor failed to tender the initial plan payment at the 341 Meeting as required by § 1326(a)(1) and Local Rule 2083-1(a).
2. The Debtor failed to appear at the 341 Meeting as required by § 343 and Local Rule 2003-1(a).

THEREFORE, based on the foregoing, the Trustee moves the Court for the entry of an Order dismissing this case under 11 U.S.C. § 1307. If an objection is not filed by February 22, 2010 and served upon the Trustee, the clerk must enter an order dismissing the case. Unless the Court orders otherwise, any

objection to the Trustee's Motion to Dismiss will be heard at the confirmation hearing scheduled for March 02,
2010.

DATED: 01/27/2010

KRA /S/
KEVIN R. ANDERSON
CHAPTER 13 TRUSTEE

CERTIFICATE OF MAILING

The undersigned hereby certifies that true and correct copy of the foregoing Trustee's Motion to Dismiss was served upon all persons entitled to receive notice in this case via ECF notification or by U.S. Mail to the following parties on January 27, 2010:

PAUL DAVID COOK JR.
557 ASPEN HILL BLVD.
SARATOGA SPRINGS, UT 84045

ROBERT S. PAYNE
ECF NOTIFICATION

/s/
Office of Chapter 13 Trustee